CANCELLED

IN THE HIGH COURT OF JUDICATURE AT JABALPUR (M.P.)

W.P. No. 4949 /1999

Retitioner — Nago Rao Temburkar,
S/o Shri Sakharam Temburkar,
Aged about 47 years,
R/o C/o R.S. Wadhwa, Sonu Kirana
Stores, Opposit Railway Station
Ward No. 10, Rajnandgaon - 491 441

VERSUS

Respondents

1. The Central Bank of India,
Through its Chairman cum Managing
Director, Central Office,
Chandermukhi, Neriman Point
MUMBAI.

2. Zonal Manager Cum Appellate Authority
Central Bank of India,
First Floor, Block-C, Bombay Marg
G.E. Road, Raipur.

3. Regional Manager Cum Disciplinary
Authority, Central Bank of India
Shri Deep 4 South Avenue
Raipur Cooperative Housing Society,
Raipur (M.P.).

Surendra Kumar Khare
S. K. Khare
Oath Commissioner JBP.

WRIT PETITION UNDER ARTICLE 226/227
OF THE CONSTITUTION OF INDIA

(92)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.4749/99 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	7.11.2005 Shri P. R. Patankar, Advocate assisting Shri P. Diwakar, Senior Advocate. Heard. The petitioner was working as Assistant Manager/Scale-I Officer with the Central Bank of India in Branch Office Rajnandgaon. The charge sheet was issued against him to the effect that the petitioner while working as Scale- I Officer at Branch Office Lanji during the period from 27.10.1992 to 15.2.1996 had misappropriated the amounts deposited by the depositors and term loan borrowers on the branch premises for deposit in to their accounts and defrauded the Bank by making false entries in the pass books of those account holders to the extent of Rs.6,900/-. A departmental enquiry was held. The Enquiry Officer vide his enquiry report dated 24.12.1997 found the charges as proved after giving full opportunity of hearing to the petitioner. The petitioner was dismissed from service with immediate effect vide order dated 24.2.1998 (Annexure P/10). The petitioner thereafter preferred an appeal on 10.4.1998 before the Zonal Manager, Central Bank of India/Respondent No.2. The Respondent No.2 passed a detailed order dated 22.6.1998 affirming the findings recorded by the Enquiry Officer and the order passed by the Disciplinary Authority. Thereafter the petitioner preferred an appeal to the Chairman-	

(93)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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cum-Managing Director/Respondent No.1 on 2.9.1998 which was also rejected vide order dated 4.1.1999.

Having heard learned counsel for the petitioner and having gone through the records of the case I do not find that it is a fit case for interference under Article 226 of the Constitution of India. The petitioner was given sufficient opportunity for presenting his case and thereafter the petitioner has filed an appeal before the Appellate Authority which was dismissed and thereafter the mercy appeal filed by the petitioner has also been dismissed. This is a case of embezzlement of money deposited by the account holders in the accounts wherein the trust of the depositors is also involved.

In view of the foregoing, the petition deserves to be and is dismissed.

Sd/-
Satish K. Agnihotri
Judge

Thakur

19.7.05
24.11.05